

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff(s),

v.

JEFFREY MICHAEL DONNELLY,

Defendant(s).

Case No. 2:04-CR-148 JCM (LRL)

ORDER

Presently before the court is *United States v. Donnelly*, case no. 2:04-cr-00148-JCM-LRL. Jeffrey Donnelly ("petitioner") filed a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 based upon the application of *Johnson v. United States*, 135 S. Ct. 2551 (2015), to his sentence. (ECF No. 42).

Briefing shall proceed as follows: respondent has thirty (30) days from the date of this order to file a response. Thereafter, petitioner has thirty (30) days to file a reply.

Accordingly,

IT IS HEREBY ORDERED that respondent shall file a response to petitioner's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 (ECF No. 42) no later than thirty (30) days from the date of this order. Petitioner shall file a reply within thirty (30) days thereafter.

DATED September 7, 2016.


UNITED STATES DISTRICT JUDGE